

**CITY OF HOLLISTER
EXECUTIVE MANAGEMENT UNIT**

SALARY AND BENEFITS PLAN

EFFECTIVE NOVEMBER 14TH, 2011

**EXECUTIVE MANAGEMENT SALARY AND BENEFITS PLAN
TABLE OF CONTENTS**

SECTION [1]	APPLICATION OF SALARY AND BENEFITS PLAN	Page 4
SECTION [2]	SALARY ADJUSTMENT	Page 4
SECTION [3]	HOLIDAYS	Page 4
SECTION [4]	VACATION	
	A. Entitlement	Page 5
	B. Accrual	Page 5
	C. Floating Holidays	Page 5
SECTION [5]	SICK LEAVE	
	A. Entitlement	Page 6
	B. Accrual	Page 6
	C. Sick Leave Conversion to Cash	Page 6
	D. Vacation Conversion to Cash	Page 7
SECTION [6]	ADMINISTRATIVE LEAVE	Page 7
SECTION [7]	INSURANCE	
	A. Description	Page 8
	B. Health Insurance Options	Page 8
	C. IRS Code Section 125 Flexible Benefits/ Cafeteria Plan	Page 8
	D. Terms of Health Care Participation	Page 9
	E. Health Care Contributions	Page 10
	F. Vision Insurance	Page 10
	G. Dental Insurance	Page 10
	H. Life Insurance	Page 10
	I. Long Term Disability Insurance	Page 11
	J. Health Insurance Waiver Option	Page 11
	K. Optional Health Benefits	Page 12
	L. Flexible Spending Accounts	Page 12
	M. Voluntary Life Insurance	Page 12
	N. Miscellaneous	Page 13

**EXECUTIVE MANAGEMENT SALARY AND BENEFITS PLAN
TABLE OF CONTENTS (CONT'D)**

SECTION [8]	RETIREMENT	
	A. Contribution	Page 13
	B. 1959 PERS Survivor Death Benefit	Page 14
	C. One-Year Final Compensation Benefit	Page 14
SECTION [9]	PROFESSIONAL DEVELOPMENT INCENTIVE PROGRAM	
	A. Professional Certificates	Page 15
	B. College Degrees and Certificates	Page 15
	C. Technical Certificates (\$2,000.00)	Page 15
	D. Vocational Certificates of Completion	Page 15
	E. Technical Certificates (\$1,000.00)	Page 16
	F. Additional Eligibility Criteria	Page 16
SECTION [10]	TUITION REIMBURSEMENT	Page 17
SECTION [11]	DEFERRED COMPENSATION PROGRAM	Page 17
SECTION [12]	BILINGUAL PAY	Page 18
SECTION [13]	DRUG-FREE WORKPLACE POLICY	Page 18
SECTION [14]	MILEAGE REIMBURSEMENT	Page 18
SECTION [15]	JURY DUTY AND SUBPOENAED WITNESS	Page 18
SECTION [16]	LONGEVITY BONUS	Page 18
SECTION [17]	COMPUTER LOAN PROGRAM	Page 19
SECTION [18]	FURLOUGH & FURLOUGH PROVISIONS	Page 19
SECTION [19]	NOTARY PUBLIC COMMISSION PAY	Page 19
SECTION [20]	FURLOUGHS & FURLOUGH PROVISIONS	Page 19
SECTION [21]	TERM	Page 20

1. APPLICATION OF SALARY AND BENEFITS PLAN

This Salary and Benefits Plan shall apply to the Executive Management Employees' Unit (hereafter referred to as "Executive Management Employees"). This Unrepresented Unit includes the following Unrepresented Classifications:

- *Administrative Services Director*
- *Airport/Code Enforcement Director*
- *City Clerk*
- *Community Services Director*
- *Development Services Director*
- *Engineering Manager/City Engineer*
- *Fire Chief*
- *Police Captain*
- *Police Chief*
- *Redevelopment Program Manager*

2. SALARY ADJUSTMENT

- A. Effective July 1st, 2010, Executive Management Employees did not receive the two-percent (2.00%) salary increase that became effective pursuant to the Executive Management Unit Salary and Benefits Plan dated January 1st, 2008 to December 31st, 2010. Executive Management Employees shall continue to forfeit the two-percent (2.00%) salary increase effective with the adoption of this Salary and Benefits Plan.
- B. Beginning December 1st, 2009, the Executive Management Employees received a salary reduction of 4.623% in conjunction with the Furlough schedule of one day per month.
- C. Upon adoption of this Salary and Benefits Plan, the previous salary reduction of 4.623% corresponding to the one-day per month (twelve [12] working days) Furlough Provision shall be increased to 5.000%, thereby equaling thirteen Furlough Days or one-hundred and four hours or thirteen [13] working days without compensation for each Fiscal Year pursuant to Section [18] herein entitled "Furloughs and Furlough Provisions".

3. HOLIDAYS

All Executive Management Employees shall enjoy ten and one-half (10.5) paid Holidays per year. They are as follows:

<i>January 1st</i>	<i>New Year's Day</i>
<i>Third Monday in January</i>	<i>Martin Luther King, Jr. Day</i>
<i>Third Monday in February</i>	<i>President's Day</i>
<i>Last Monday in May</i>	<i>Memorial Day</i>
<i>July 4th</i>	<i>Independence Day</i>
<i>First Monday in September</i>	<i>Labor Day</i>
<i>November 11th</i>	<i>Veteran's Day</i>
<i>Fourth Thursday in November</i>	<i>Thanksgiving Day</i>
<i>Fourth Friday in November</i>	<i>Day after Thanksgiving</i>
<i>December 24th (½ day)</i>	<i>Christmas Eve</i>
<i>December 25th</i>	<i>Christmas Day</i>

4. VACATION

A. Entitlement

All Executive Management Employees are entitled to ten (10) working days vacation pay upon successful completion of their first six (6) months of continuous service. Employees may take accrued vacation after the completion of six (6) months of service.

B. Accrual

Effective on the first Pay Period beginning on or after July 1, 2008 Executive Management Employees shall accrue vacation as follows:

<u>Years of Service</u>	<u>Annual Vacation Accrual</u>
<i>1st through completion of 3rd Year</i>	<i>10 Days</i>
<i>4th through completion of 7th Year</i>	<i>15 Days</i>
<i>8th through completion of 15th Year</i>	<i>20 Days</i>
<i>16th through completion of 20th Year</i>	<i>22 Days</i>
<i>Beginning of 21st Year</i>	<i>25 Days</i>

Executive Management Employees may accumulate a maximum of thirty-five (35) working days (280 hours) of vacation without the authorization of the City Manager. Accumulated vacation time of more than thirty-five days (280 hours) must be authorized by the City Manager and utilized prior to the end of the calendar year or it will be lost.

C. Floating Holidays

All Executive Management Employees shall receive two (2) Floating Holidays for their use on July 1st of each fiscal year.

5. SICK LEAVE

A. Entitlement

Executive Management Employees shall accrue Sick Leave credit at the rate of twelve (12) days per year (8 hours per month).

B. Accrual

Unused Sick Leave may be accrued without limit.

C. Sick Leave Conversion To Cash

Executive Management Employees may be compensated for a percentage of accrued, unused Sick Leave upon death or retirement from City employment. The provisions for this policy are as follows:

1. Executive Management Employees may not “cash out” or be compensated for any of the first two-hundred forty (240) hours of Sick Leave accrued.
2. Any Executive Management Employee having completed ten (10) years of continuous service with the City and who retires from City service, will be compensated for twenty-five percent (25%) of accrued, unused Sick Leave in excess of two-hundred forty (240) hours at the employee’s hourly rate of pay at the time of retirement from City service.
3. The surviving Spouse, Beneficiary(s), Dependent(s) or Estate of any current Executive Management Employee who has completed ten (10) years of continuous service with the City and dies while employed by the City of Hollister prior to retirement will be compensated for fifty percent (50%) of accrued, unused Sick Leave in excess of two-hundred forty (240) hours at the employee’s hourly rate of pay at the time of death.
4. Any current Executive Management Employee having completed ten (10) years continuous service with the City and having an unused Sick Leave accrual balance exceeding five-hundred (500) hours may, at their option, “cash out” up to a maximum of ninety-six (96) hours (12 days) of unused Sick Leave annually as long as the “cashed out” hours do not diminish the unused Sick Leave accrual balance to an amount less than five-hundred (500) hours.

5. Compensation for unused, accrued Sick Leave will be made at the employee's rate of pay at the time of "cash out". Requests for payment of unused Sick Leave as described herein, shall be made in writing to the Department of Administrative Services at least thirty (30) days in advance of June 1st and December 1st of each year.
6. Payments of "cashed out" unused Sick Leave will be made on the first Pay Day which follows June 1st and December 1st of each year. A check separate from the normal Payroll Check shall be issued for payment of unused Sick Leave.

D. Vacation Conversion to Cash

Confidential Unit Members may cash out up to maximum of forty (40) hours of vacation leave annually. Compensation for vacation leave cashed out will be made at the employee's rate of pay at the time of cash out. Requests for payment of vacation time shall be made in writing to the Department of Administrative Services at least thirty (30) days in advance of June 1st and December 1st of each year. Payments of cashed-out vacation leave will be made on the first pay day which follows June 1st and December 1st of each year. This payment will be made in the regular payroll check issued for that pay period.

6. ADMINISTRATIVE LEAVE

Executive Management Employees shall receive eighty (80) hours Administrative Leave each fiscal year. The terms for use of Administrative Leave are as follows:

- A. Administrative Leave credit will be accrued at the rate of 3.08 hours per pay period.
- B. The entire eighty (80) hours of Administrative leave will be advanced and be available for use on July 1st of each fiscal year.
- C. Leave usage will be monitored by having each eligible employee execute a Leave Request. This request must be signed by the individual eligible employee and approved by the City Manager or Department Director. The Administrative Leave usage must be identified and recorded on the official time card for the period in which leave was taken.
- D. Residual Administrative Leave not utilized during the fiscal year may not be carried over into a subsequent year. Administrative Leave shall not be cumulative and shall not be converted into monetary compensation, except upon termination or retirement.

- E. Excluding the provisions pursuant to Paragraph [G] below, in the event an Executive Management Employee terminates during the year, unused accrued Administrative Leave shall be paid out in the same manner as unused vacation. If leave has been taken beyond that which would be accrued, the Employee must reimburse the City for all excess leave utilized.
- F. For eligible Executive Management Employees hired during the year, leave credit will be accrued from the date of hire.
- G. Each Executive Management Employee shall have the right to donate at any time all or a portion of his or her Administrative Leave to any City Employee pursuant to Resolution 2006-15 (Catastrophic Illness or Injury). Such donations shall not be subject to the requirement for repayment of Administrative Leave under Section [6](E) herein.

7. INSURANCE

A. Description

The City of Hollister Flexible Benefits Plan/Cafeteria Plan (hereinafter "Plan") is available to full-time Executive Management Employees. There will be three participation levels as referenced under Section [E]. Optional benefits are listed below. Once an election is made, it will remain in force until the next open enrollment period. A Third Party Administrator (T.P.A.) fee will be paid by the Executive Management Employees who participate in the Plan.

B. Health Insurance Options

The City shall provide Executive Management Employees with the choice of participating in either the Public Employees' Medical and Hospital Care Act (PEMHCA) program offered by CalPERS or the Blue Cross HMO Program.

C. IRS Code Section 125 Flexible Benefits/Cafeteria Plan

1. The City shall provide for Executive Management Employees an IRS Code Section 125 Flexible Benefits/Cafeteria Plan in accordance with all applicable state and federal laws and regulations.
2. The City shall contribute towards the PEMHCA or Blue Cross HMO medical, dental and vision care plan amounts allocated in accordance with the City's IRS Code Section 125 Flexible Benefits/Cafeteria Plan as specified below.

3. The City shall allocate specified amounts of "Flex Credits" to the Executive Management Employee's flexible benefit account. These amounts shall consist of the following:
 - a. An amount up to and not to exceed the City's contribution towards medical insurance, based upon either the Blue Cross HMO or PEMHCA's PERS Choice medical plans, whichever plan is greater. The required contribution for Executive Management Employees electing dependent coverage in accordance with Section [E] below shall be excluded from this total.
 - b. An amount equivalent to the City's contribution towards dental insurance. The required contribution for employees electing dependent coverage in accordance with Section [E] below shall be excluded from this total.
 - c. An amount equivalent to the City's contribution towards vision insurance. The required contribution for Executive Management Employees electing dependent coverage in accordance with Section [E] below shall be excluded from this total.
4. If surplus Flex Credits are available, all Executive Management Employees shall have the option to allocate such Flex Credits to one of the following:
 - a. Executive Management Employees' Flexible Spending Account.
 - b. Roth Individual Retirement Account (IRA)
 - c. ICMA or City-authorized 457 Deferred Compensation Plan

If an Executive Management Employee's residual "Flex Credits" are reduced, the employee will have the responsibility to pay the contribution no longer covered by the Surplus Flex Credits.

5. Executive Management Employees who waive either dental and/or vision coverage shall have the option to apply available flex credits towards the cost of any optional premium listed in the respective sections below. The cost of the optional premium not covered by available flex credits shall remain the employee's responsibility.
6. Executive Management Employees who elect to waive any or all health coverage shall be subject to the terms and provisions described under Section [J] below.

D. Terms for Health Care Participation

Participation and coverage in the medical, dental and vision care plans shall be in accordance with the terms and conditions of the Insurance Carrier.

E. Health Care Contributions

1. Employee-only Premium

The City shall contribute towards the medical, dental and vision insurance plans an amount equal to the employee-only premium at the time of adoption of this Salary and Benefits Plan for each Executive Management Employee for the term of this Salary and Benefits Plan. The employee-only premium for medical insurance shall be based on the higher premium of either PEMHCA's PERS Choice or Blue Cross HMO.

2. Employee Option for Dependent Coverage

For those Executive Management Employees who elect the option for dependent coverage for medical, dental and vision insurance plans, the City shall contribute monthly amounts toward such dependent coverage based upon the higher premium of either PEMHCA's PERS Choice or Blue Cross HMO in accordance with Section [C] above, so that the employee pays no more than the following:

<i>Medical - One Dependent</i>	<i>\$32.55</i>
<i>Medical - Family</i>	<i>\$57.54</i>
<i>Dental - One Dependent</i>	<i>\$ 8.69</i>
<i>Dental - Family</i>	<i>\$19.39</i>
<i>Vision - One Dependent</i>	<i>\$29.93</i>
<i>Vision - Family</i>	<i>\$29.93</i>

F. Vision Insurance

The City shall provide a vision care insurance plan which is available to eligible Executive Management Employees and qualified dependents during the term of this Salary and Benefits Plan.

The City shall offer vision care insurance for Executive Management Employees and qualified dependents as a pre-tax flexible benefit option. Participation and coverage shall be in accordance with the terms and conditions of the insurance carrier.

G. Dental Insurance

The City shall offer dental care insurance for Executive Management Employees and qualified dependents as a pre-tax flexible benefit option. Participation and coverage shall be in accordance with the terms and conditions of the insurance carrier.

H. Life Insurance

The City shall provide term life insurance in the amount equal to one-million dollars (\$100,000.00) for each Executive Management Employee for the term of this Salary and benefits Plan. Additional term life insurance may be purchased by the employee at the employee's cost in increments of ten-thousand dollars (\$10,000.00) up to a total of two-hundred fifty thousand dollars (\$250,000.00).

I. Long Term Disability Insurance

The City agrees to provide to all Executive Management Employees at City cost a Supplemental Long Term Disability Plan, coordinated with other existing benefits to provide no more than a thirty (30) day exclusion or elimination period; no less than a one year benefit for accident or illness; and a minimum scheduled benefit of sixty-six percent (66%) or two-thirds ($\frac{2}{3}$) of gross salary to a maximum of \$3,500.00 per month for the term of this Salary and Benefits Plan. The City in its sole discretion shall select the Supplemental Long Term Disability Plan carrier that meets these requirements.

J. Health Insurance Waiver Option

1. Executive Management Employees who elect not to participate in the City's health care insurance program will be compensated in an amount equivalent to seventy-five percent (75%) of the employer's contribution towards the premiums for the City's health plan at the level in which the employee was participating (employee only, employee plus one dependent, employee plus two or more dependents) at the time of waiving City insurance coverage in accordance with Section [3] below. This cash amount will be paid as part of the employee's bi-weekly payroll.
2. Executive Management Employees shall be eligible to elect not to participate in the City's health care program only after participating under the same level of the City's health care insurance plan for a minimum period of one year immediately preceding the election.
3. Executive Management Employees electing not to participate in the City's health care insurance program must annually provide proof of medical insurance coverage by an outside provider in order to maintain payment under this waiver option.
4. For Executive Management Employees who elect not to participate in the group medical coverage offered by the City, the City will provide dental and vision coverage for the employee and his/her dependents at no cost to the employee.
5. In addition to the coverage options specified under Section [7] "Insurance" of this Salary and Benefits Plan, the following optional health benefits, identified in Sub-Section [K]. "Optional Health Benefits" shall be available to all Executive

Management Employees.

K. Optional Health Benefits

Executive Management Employees who elect to participate in a City-offered medical plan can also elect to participate in the optional benefits. If the employee has any surplus flex credits after making all elections required to participate in the medical insurance, the employee can use that surplus toward optional qualified insurance benefits or one or both of the pre-tax spending accounts. Executive Management Employees who wish to participate in the optional benefits plan, but do not have any surplus credits, can elect to have pre-tax payroll deductions in an amount to cover the cost of their elections.

Executive Management Employees may pay the premiums for the following benefits on a voluntary basis:

- *Medical Insurance*
- *Dental Insurance*
- *Vision Insurance*
- *Group Term Insurance up to \$50,000.00 for Employees only*
- *Accidental Death and Dismemberment Insurance*
- *Short Term Disability*
- *Cancer Insurance*
- *Supplemental Health Insurance*
- *Vision or Dental Insurance*
- *Accidental Only Insurance*
- *Intensive Care Insurance*

L. Flexible Spending Accounts (FSA's)

The City agrees to establish a pre-tax dependent care reimbursement account up to the maximum reimbursement allowed by law to be funded by the respective Executive Management Employee.

The City agrees to establish a pre-tax medical reimbursement account, up to two thousand five hundred dollars (\$2,500.00) per year per employee to be funded by the respective Executive Management Employee.

M. Voluntary Life Insurance

The City shall offer a voluntary supplemental life insurance plan through the flexible benefits plan for pre-tax contributions by the respective Executive Management Employee. Participation and coverage shall be in accordance with the terms and

conditions of the insurance carrier. Executive Management Employees may also elect pre-tax payroll deductions to support other City-sponsored voluntary supplemental insurance benefits.

N. Miscellaneous

The City of Hollister does not allow Executive Management Employees to receive surplus credits in cash.

8. RETIREMENT

A. Contribution

1. All Executive Management Employees shall continue to be responsible for payment of all costs associated with the increase in the Employee's contribution from the current "2.0% @ 55" to the "2.5% at Age 55" Retirement Benefit in excess of the original 7% Employee Contribution.
2. All Executive Management Employees shall continue to be responsible for the difference in the cost associated with the increase in the Employer's Contribution from the "2% @ Age 55" to the "2.5% @ Age 55" Retirement Benefits. This increase will be determined through an Actuarial Valuation conducted annually in accordance with Paragraph [3] below.
3. Each year the City will obtain the services of a Certified Actuary at the City's sole discretion. Each year the cost of the actuarial services shall be paid by each employee within the City of Hollister's CalPERS Miscellaneous Plan on a proportional basis. Each Executive Management Employee shall pay his/her share of these actuarial costs through payroll deductions which will vary from year to year depending on the cost of the services and the number of employees in the Miscellaneous Plan.
4. All Executive Management Employee deductions, except for actuarial costs, shall be pre-taxed payroll deductions pursuant to CalPERS IRC 414h[2].
5. In addition to all costs associated with the increase in the City's CalPERS Retirement Plan from 2.0% @ 55 to 2.5% @ 55, effective the first Pay Period beginning on or after July 1st, 2012, all Executive Management Employees shall pay an additional 2.200% of their salary as part of the Employee's contribution to one of the following:

Miscellaneous Executive Management:

*CalPERS 2.5% @ 55 Retirement
Benefit*

Public Safety Police Executive Management

*CalPERS 3.0% @ 50 Retirement
Benefit*

Public Safety Fire Executive Management

*CalPERS 3.0% @ 50 Retirement
Benefit*

6. If the services of an independent Actuary is required for the calculation and/or verification of these contributions as part of the annual validation of these costs, all Executive Management Employees shall incur all costs associated with these required services.
7. This provision shall be in addition to and independent of the current contributions required to be paid by Executive Management Employees for the City's Miscellaneous Retirement Benefit Plan Number 0494.

B. 1959 PERS Survivor Death Benefit

The City shall provide the CalPERS Section 21574 "Fourth Level 1959 Survivor Death Benefit" for all eligible unit members for the term of this contract. The City shall pay the employer rate contribution. The employee shall pay the member rate contribution.

C. One Year Final Compensation Benefit

- a. The City shall provide the CalPERS Section 20042 "One Year Final Compensation" benefit for eligible unit members.
- b. The City shall continue to pay all of the employer and member contributions to CalPERS for each Executive Management Employee for this benefit based upon the 2.0% @ 55 Retirement Formula. Any costs associated with the increase in contributions for the CalPERS "2.5% @ 55" Retirement Benefit, if applicable, shall be paid by the members in accordance with Section 8, Paragraph A[2] & [3] above.

9. PROFESSIONAL DEVELOPMENT INCENTIVE PROGRAM

Executive Management Employees shall receive a bonus for obtaining certificates or degrees received after July 1, 2000 provided the employee has completed their probationary period. A certificate bonus shall not be awarded if the certification or degree is a minimum requirement for their position.

The certificate must relate to the employee's current position or future lateral or promotional opportunities with the Executive Management Unit. Vocational Training, for purposes of this section, is defined as a minimum of one-hundred (100) hours of specific training in a career field which results in a certificate of completion. The minimum one-hundred (100) hours shall be documented classroom time or in the case of a correspondence program

identified as the average length of time required to complete the program certification as documented by the certifying agency or institution.

Only one (1) bonus per calendar year can be received by an employee. If an employee receives either a Ph.D., Master's degree or Bachelor's degree in a calendar year, the employee may also receive one (1) additional bonus for a certificate earned in the same calendar year.

A. Professional Certificates: \$2,500.00 Lump Sum

- *Professional Engineer Registration*
- *Professional Land Surveyor Registration*
- *Certified Public Accountant*
- *Engineer-In-Training*
- *Land Surveyor-In-Training*
- *American Institute of Certified Planners*
- *Paralegal Certificate*
- *Grade 5 Water Treatment Operator or Water Distribution Operator*
- *Grade 5 Waste Water Treatment Operator*

B. College Degrees and Certificates: \$2,500.00 Lump Sum

- *Ph.D.*
- *Master's Degree*
- *Bachelor's Degree*
- *Associate's Degree*

C. Technical Certificates: \$2,000.00 Lump Sum

- *Grade 4 Water Treatment Operator or Water Distribution Operator*
- *Grade 3 Water Treatment Operator or Water Distribution Operator*
- *Grade 2 Water Treatment Operator or Water Distribution Operator*
- *Grade 1 Water Treatment Operator or Water Distribution Operator*
- *Grade 4 Waste Water Treatment Operator*
- *Grade 3 Waste Water Treatment Operator*
- *Grade 2 Waste Water Treatment Operator*
- *Grade 1 Waste Water Treatment Operator*
- *I.C.B.O. Certificates*
- *Public Works Inspector - NICET*
- *Cross Connection Control Specialist Certification*
- *Certified Arborist*

D. Vocational Certificates Of Completion

Examples:

- *A(+) Certification (Computer Hardware, Software & Networking)*
- *Microsoft Certified Systems Engineer*
- *Cisco Certified Network Associates*
- *Operation Of Wastewater Treatment Plants Program administered by California State University, Sacramento Regional and Continuing Education Program*
- *Title 29 CFR 1910.120(q) - 24 Hour Hazardous Materials (Hazmat) Technician Level III Certification*

The amount of the bonus for any Vocational Certificate of Completion shall be based on the following number of hours of course work:

Minimum Hours For Vocational Certificate	<u>Amount</u>
100	\$1,500.00
80	\$1,200.00
60	\$ 900.00
40	\$ 600.00
20	\$ 300.00

E. Technical Certificates: \$1,000.00 Lump Sum

- *Chemical Applicator*
- *Licensed Tree Trimmer*
- *Automotive Service Technician (ASE)*

F. Additional Eligibility Criteria

Additional licenses and certificates eligible for these bonuses, not listed in this section, may be reviewed and approved by the City Manager in accordance with the following criteria:

- The license or certificate submitted for consideration must directly relate to the Executive Management Employee's current position or future lateral or promotional opportunities in accordance with the provisions of this section.
- The Executive Management Employee earning the license or certificate shall be subject to duties and assignments commensurate with the level of proficiency attained under the City's Professional Development Incentive Program.

- After ratification of this resolution, all such requests for consideration for eligibility for such license and certificate bonuses shall be submitted to the City Manager for review and approval by the City Manager at his/her sole discretion.

The process for receiving a bonus under this program shall be:

- Prior to beginning any class, program, seminar or study toward a desired certificate or degree, the employee must submit a request to the City Manager for consideration and approval of bonus award. Qualifying classes, programs, seminars or study toward a desired certificate or degree shall not be denied.
- If prior approval is not obtained, the class, program, seminar or study toward a desired certificate or degree shall not fall within the scope of this Professional Development Incentive Program.
- Upon obtaining a copy of the certificate or degree, payment will be processed for the specified bonus amount. Bonuses shall not be granted prior to receiving a copy of the degree or certificate. Federal law mandates that any employee receiving a cash bonus will be issued an IRS 1099 Statement and will be required to declare this as additional income for tax purposes at the end of the year

The following are not eligible for consideration under this section:

- Any driver's licenses
- Certificates, licenses or degrees required for the position the employee holds
- Certificates, licenses or degrees earned at the expense of the City
- City-sponsored training programs and consortium training programs except for approved tuition reimbursement pursuant to Section 8.10 (D) and (E) of the City of Hollister Personnel Rules & Regulations for Associate degrees, Bachelor's degrees, Master's degrees and Ph.D. degrees.

10. TUITION REIMBURSEMENT

Executive Management Employees are eligible to participate in the City's Tuition Reimbursement Program, which provides for reimbursement of up to one thousand dollars (\$1,000.00) per employee per year of expenses incurred in job related educational programs which are approved by the City Manager.

11. DEFERRED COMPENSATION PROGRAM

The City shall continue to provide the option for a voluntary Deferred Compensation Plan (IRS Code Section 457) for all employees of the Executive Management Unit.

12. BILINGUAL PAY

Executive Management Employees who perform technical bilingual skills (reading, writing, translation) and who successfully pass a City-administered proficiency test shall receive an allowance of one-hundred twenty-five dollars (\$125.00) per month.

13. DRUG FREE WORKPLACE POLICY

The City's Drug Free Workplace Policy, City Personnel Rule 2.05, adopted by Resolution 92-116 (August 3rd, 1992), is incorporated by reference into this Salary and Benefits Plan.

14. MILEAGE REIMBURSEMENT

The City shall reimburse all Executive Management Employees for mileage driven in their personal vehicles while conducting City business at the rate specified by the Internal Revenue Service. Claims for such reimbursement must be submitted on the proper City form and approved by the City before payment can be made.

15. JURY DUTY AND SUBPOENAED WITNESS

Any Executive Management Employee shall be allowed to take leave from his/her City duties without loss of wages, leave time or other benefits for the purpose of responding to jury selection or serving on a jury for which he/she has been selected, subject to the limitation that an employee receive paid leave for jury duty not more than once per calendar year. In the case of serving on a jury more than one time during a year, the employee has the option of using leave time to mitigate loss of pay. No Executive Management Employee shall suffer loss of wages or other benefits responding to a subpoena to testify in court on behalf of the City.

16. LONGEVITY BONUS PAY

Effective July 1st, 2009, longevity bonus pay shall be paid to Executive Management Employees who complete the following specified consecutive years of service after the effective date of this Salary and Benefits Plan:

<u>NUMBER OF CONSECUTIVE YEARS</u>	<u>LONGEVITY BONUS PAY</u>
<i>10 - 14 Years</i>	<i>Three Percent (3.0%) of Base Salary</i>
<i>15 - 19 Years</i>	<i>Six Percent (6.0%) of Base Salary</i>
<i>20 or more Years</i>	<i>Nine Percent (9.0%) of Base Salary</i>

Executive Management Employees who were eligible for and received longevity bonus pay prior to July 1st, 2009 shall be entitled to receive the difference between the previous longevity

bonus pay and the increased longevity bonus pay provided in this Salary and Benefits Plan so that the net result is that all employees with equivalent years of service will receive the same longevity pay amount. Executive Management Employees shall be limited to one category of longevity bonus pay.

If an Executive Management Employee initially received this pay while a member of another bargaining unit, the employee shall not be entitled to any additional longevity pay.

17. COMPUTER LOAN PROGRAM

Executive Management Employees shall be eligible to purchase computer equipment through the City. Under this program, the City shall offer a one-percent (1.00%) loan to Executive Management Employees who purchase a computer with or without software, and/or printer, scanner, etc.. All Executive Management Employees who participate in this program must pay back the loan in full either directly or through payroll deductions within one year from the date of the loan. Executive Management Employees shall make twelve equal payments payable once per month.

Executive Management Employees shall be eligible for a subsequent loan contingent upon the full balance of the previous loan paid off in full. Employees electing to participate in this program shall specify in writing their agreement to allow withholding of any unpaid balance through payroll deductions in the event the employee leaves City service or expires.

The computer equipment shall remain the property of the Executive Management Employee at all times after purchase.

18. TELEPHONE STIPEND

The City agrees to provide all eligible Executive Management Employees with a Telephone Stipend in the amount of \$40.00 per month. The issuance, application and reporting of this stipend shall be in accordance with all terms and conditions as defined by the Internal Revenue Service.

19. NOTARY PUBLIC COMMISSION PAY

Any Executive Management Employee who possesses and maintains a Notary Public Commission shall receive an allowance of \$125.00 per month. Employees who obtain certification shall remain subject to the needs and requirements of the City.

20. FURLOUGHS & FURLOUGH PROVISIONS

Effective upon adoption of this Salary and Benefits Plan and in accordance with the increase of the Salary Reduction from 4.623% to 5.000% as specified in Section [2] herein, Executive

Management Employees shall be subject to a total of thirteen Furlough days equivalent to one-hundred and four (104) working hours pursuant to with the following provisions:

- A. For each day of Furlough, the Executive Management Employee shall not report to work or provide any services to the City and shall not receive any compensation whatsoever, including but not limited to, annual leave, sick leave, administrative leave, or compensatory time.
- B. An Executive Management Employee who improperly work or provide services to the City on a Furlough day shall not receive any compensation.
- C. The schedule of Executive Management Furlough days shall be established at the full discretion of the City in accordance with the Schedule of Furloughs established by the City.

21. TERM

The term of this Salary and Benefits Plan shall commence on November 14th, 2011.

RESOLUTION NO. 2011-143

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER
ESTABLISHING SALARIES AND BENEFITS
FOR EXECUTIVE MANAGEMENT EMPLOYEES**

WHEREAS, the Members of the Executive Management Unit are Unrepresented Employees of the City of Hollister and are entitled to certain Salaries and Benefits; and

WHEREAS, the City Council of the City of Hollister formally adopted the Salaries and Benefits Schedule for all members within the Executive Management Unit effective July 1, 2011, by Resolution No. 2011-86; and

WHEREAS, the City Council desires to amend by Resolution the recently adopted Salaries and Benefits Schedule for all Employees within the Executive Management Unit; and

WHEREAS, it is in the best interests of both the City and the Employees of the Executive Management Unit to adopt Salary and Benefits Plan as amended;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hollister that the Salaries and Benefits Schedule effective November 14, 2011, is hereby approved for all Members within the Executive Management Unit.

PASSED AND ADOPTED at a special meeting of the City Council of the City of Hollister on this 14th day of November, 2011, by the following vote:

AYES: Council Members Emerson, Friend, Scattini, and Mayor Valdivia.

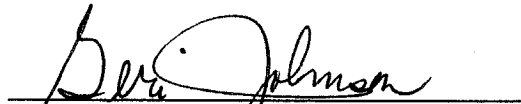
NOES: None.

ABSTAINED: None.

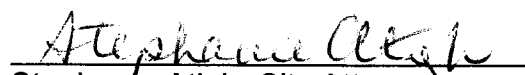
ABSENT: Council Member Gomez.


Pauline Valdivia, Mayor

ATTEST:


Geri Johnson, City Clerk

APPROVED AS TO FORM:


Stephanie Atigh, City Attorney

DUPLICATE OF ORIGINAL
ON FILE IN THE
OFFICE OF THE CITY CLERK
CITY OF HOLLISTER